IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 6560 of 2005

Between:

1 S.V. Ramanayya, S/o. Late Sri Purushottam, Hindu,
R/o. 14-37-21, Gokhale Road, Visakhapatnam.

2 E. Satyanarayana, S/o. Surya Prasada Rao,
R/o. 14-40-5, Gokhale Road, Visakhapatnam.

3 Dr. V. Chandrasekharam, S/o. Late Narasimha Krishna Rao, Hindu,
K.G. Hospital, Visakhapatnam, R/o. 14-37-17, Gokhale Road, Visakhapatnam.

4 Datla Suryanarayana Raju, S/o. Peda Satyanarayana Raju, Hindu,
R/o. 14-40-51B, Gokhale Road, Visakhapatnam.

5 M. Uday Bhaskaram, W/o. M. Ranganayakulu, Hindu,
R/o. 14-37-15/3, MUPPIDI COLONY Gokhale Road, Visakhapatnam.

..... PETITIONERS

AND

The Commissioner, Municipal Corporation, Visakhapatnam.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the Respondent in not paying the compensation to the Petitioners for the land in respect of their house properties bearing D.Nos. 14-37-21; 14-40-5; 14-37-17; 14-40-51B; and 14-37-15/3, to an extent of i.e., 45.8 sq.yards; 59.5 sq. yeard; 100 sq.yards; 47 sq.yeards; and 100 sq.yards respectively situated at Ward No. 19, Gokhale Road, Maharanipeta, Visakhapatnam acquired by the Respondent as

illegal, arbitrary and violative of principles of natural justice and further directing the Respondents to pay compensation to the Petitioners immediately and pass such other order or orders.

Counsel for the Petitioners: MR.I.NAGESH

Counsel for the Respondent: MR.N.RANGA REDDY

This Court at the admission stage made the following :

O R D E R:

This writ petition is filed seeking a declaration that the alleged action of the respondent-Corporation in not paying the compensation for the land acquired in respect of the house properties belonging to the petitioners bearing D.Nos.14-37-21, 14-40-5, 14-37-17, 14-40-51B and 14-37-15/3 in an extent of 45.8 sq. yards, 59.5 sq. yards, 100 sq. yards, 47 sq. yards and 100 sq. yards respectively situated in Ward No.19, Gokhale road, Maharanipeta, Visakhapatnam, is arbitrary and illegal.

The petitioners state that they have submitted several representations before the respondent-Corporation claiming compensation for the properties acquired by the Corporation. The latest representation dated 10-10-2004 was sent by registered post with acknowledgement due and the same was received by the respondent-Corporation in October, 2004 itself, but no action has been taken so far. Hence, this writ petition.

Having regard to the facts and circumstances of the case and since the representation dated 10-10-2004 submitted by the petitioners is pending before the respondent-Corporation, without expressing any opinion as to the entitlement of the petitioners for grant of compensation, I deem it appropriate to dispose of the writ petition with

a direction to the respondent-Corporation to consider the said representation dated 10-10-2004 and to pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. No costs.

(G. ROHINI, J)

Date:29-03-2005

Note: CC in three days.

B/o

ghn

To

1. The Commissioner, Municipal Corporation, Visakhapatnam.

2. Two CD copies.